IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 6700 of 2006

RAJESH KUMAR
V/S
AANAND KUMAR & ORS.

Mr. SAJJAN SINGH, for the appellant / petitioner

Mr. RR NAGORI (CAVEATOR), for the respondent

Date of Order : 8.1.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

In the totality of circumstances, I am not inclined to interfere in the impugned order at this stage. The writ petition is, therefore, dismissed summarily. It will be open to the petitioner to assail correctness, legality or propriety of the order in appeal by setting forth appropriate ground in appeal if necessity so arises, and if he so stands advised. So far insufficiency of stamp duty on the document is concerned, the document is hereby ordered to be impounded. The learned trial court is directed to forwarded the photostat copy of the document to the concerned Collector (Stamps) for adjudicating the leviable stamp duty and penalty and recover the same from the person liable to pay. After the same is recovered, the trial court may proceed further.

The writ petition is accordingly disposed of with the aforesaid liberty.

(N P GUPTA),J.

/Sushil/